

JUDGE SWEET  
03 CV 9711

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EMERY DODD AND ELEN DODD; ROBERT DODD;  
MARY DOMINGUEZ AND FRANK DOMINGUEZ;  
VIVIAN DOMINGUEZ AND RAYMOND  
DOMINAGUEZ; MARIE DOPKINS AND RUSSELL  
H. DOPKINS; JOHN DRENNAN AND SHIRLEY  
DRENNAN; BARBARA DROBICK AND KENNETH  
DROBICK; PAULINE DUERKOP AND GERALD  
DUERKOP; JOHNNY DUNCAN AND LEE ANNA  
DUNCAN; FRANCIS DYKSTRA; THEADORE  
EICHENLAUB AND THELMA EICHENLAUB;  
EDNA ELLIS; RONALD ELLIS AND BARI ELLIS;  
LEWIS ELLSWORTH AND PENNY ELLSWORTH;  
JOHN ENGSTROM AND CAROL ENGSTROM;  
CAROL ESTRADA AND MARY HELEN ESTRADA;  
JOHN FARRELL AND LENORE FARRELL; EDWARD  
FELIX AND LOUISE FELIX; SCOTT FERGUSON;  
HERBERT FINE AND LOUISE FINE; ROBERT  
FINKLE; ROBERT FISCHER; GLENN FLATT;  
NANCY FOGELMAN AND JAMES FOGELMAN;  
PETER FOLEY; GARY FORD AND MARY H. FORD;  
ANNA FRANCE AND ROBERT FRANCE; LOUISE  
GAGNON; WILLIAM GALBRAITH AND GWEN  
GALBRAITH; JOE GALLEGOS AND OFELIA  
GALLEGOS; PAUL GARRAHAN; SUSAN  
GEISSENBERGER; DORIS GEZZAR; REX GIBBS  
AND VIOLET D. GIBBS; EUGENIA GLASCO AND  
JOE N. GLASCO; GAIL GODDARD; EARL GOLDMANN;  
EARL GOLDSTEIN AND MELVIN GOLDSTEIN;  
BARBARA GOLMON AND LLOYD D. GOLMON;  
LEOPOLDO GOMEZ AND LYDIA T. GOMEZ; RUBY  
GONZALES AND JOHN L. GONZALES; HELEN  
GRACIA AND EDWARD GRACIA; MARY GRANISON  
AND WILLIAM GRANISON; KATES GRAVES;  
FREDERICK GREEN AND CLARA GREEN; SADY  
GREER AND HAROLD E. GREER; KENNETH  
GREGGORY AND NANCY GREGGORY; JOHN  
GRGAT AND MARGARET GRGAT; CHRISTA GROSS  
AND ALFRED GROSS; GERALD GROVEN AND  
PATI GROVEN; BOBBY GUYTON AND SATNSILAVA

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**DEFENDANT BAYER  
CORPORATION'S  
RULE 7.1 STATEMENT**

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GUYTON; MARY HABRE; DONALD HALL AND PATSY HALL; JACQUES HANDFIELD; HARVEY HARDEN AND IRMA HARDEN; JESS HARDY AND MARLENE HARDY; VICTOR HARILDSTAD AND GENEVA HARILSTAD; RITA HARLEV AND ROBERTA JEAN HARLEV; CATHERINE HARTLINE AND MICHAEL HARTLINE; RONALD HARUFF AND PATSY HARUFF; BARBARA HAVENS AND JACK HAVENS; LUPE HAVILAND AND DALE HAVILAND; ALDEN HERMAN AND ELIES HERMAN; ROBERT HERNANDEZ; MARIA HERRERA AND VICTOR HERRERA; VICTOR HERRERA AND MARIA HERRERA; FLORENCE HERTAUS; TONY HIGHT AND ANN M. HIGHT; ROBERT HILDEBRANDT AND SHARON HILDEBRANDT; RALPH HINOJOSA, JR. AND LINDA HINOJOSA, JR.; JOHN HORAN AND LOUIA HOBAN; GLEN HOCH AND LOIS HOCH; LAWRENCE HIEL, JR. AND DEBORAH HOEL; BENITA HOFFMAN AND CHARLES HOFFMAN; THEODORE HOLLIDAY AND COLLEEN HOLLIDAY; MARJORIE HOMER AND JOHN HOMER; DESMOND HOOEY AND GRACE HOOEY; JERALD HORTON AND JOYCE HORTON; HARIETTA HOWARD AND JERALD HOWARD; GLORIA HOWSON; RICHARD HUEBNER AND SUSAN HUEBNER; MAE HUGGINS AND ARCHIE HUGGINS; MYRNA HUNT; PAUL HUPP AND MARAJEAN HUPP; BONNIE HYMAN-FIGY AND EUGENE HYMAN; CALVIN JACKSON AND FLOY JACKSON; ROBERTA JACKSON; JOHN JACKSON, JR. AND SHELBY JACKSON; FRANCISCO JAIME; ROSALIE JAMESON; PATRICIA JANSSEN AND JOHN JANSSEN; JANICE JERNIGAN; GERALD JIRON; DALCIE JOHNSON; EDWARD JOHNSON AND SHIRLEY JOHNSON; FLOYD JOHNSON AND GILLIAN GRAFTON; JERI-LOU JOHNSON AND JOSEPH JOHNSON; MARVIN JOHNSON AND DORIS JOHNSON; RICHARD JONASON AND BESS M. JONASON; GAIL JONES; NANCY JONES AND ALBERT JONES; MIDA JORDAN; ALEX JUAREZ AND NANCY JUAREZ; JERRY KAMCHI AND BEVERLY KAMCHI; DENNIS

KELLEY AND SHERRY KELLEY; WILLIAM KELLEY  
AND BARBARA KELLEY;

Plaintiffs,

- against -

BAYER CORPORATION, BAYER AG,  
GLAXOSMITHKLINE, PLC,  
SMITHKLINE BEECHAM CORPORATION  
D/B/A GLAXOSMITHKLINE

Defendants.

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Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable judges and magistrate judges of the court to evaluate possible disqualification or recusal, the undersigned counsel of record for defendant, BAYER CORPORATION, a private (non-governmental) party, certifies that the following constitute any parent corporation and any publicly held corporation that owns 10% or more of its stock:

BAYER AG

Dated: New York, New York  
December 8 , 2003

Respectfully yours,

HEIDEL, PITTON, MURPHY & BACH, LLP

By: 

\_\_\_\_\_  
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Daniel S. Ratner (DR 7823)  
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**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF NEW YORK )

Wayne Dixon, being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and is employed by HEIDELL, PITTONI, MURPHY & BACH, LLP.

On December 8, 2003, deponent served the within RULE 7.1 STATEMENT upon the following attorney(s) at the address(es) designated by said attorney(s) for that purpose by delivery a true copy of same enclosed in a post-paid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York:

TO: Victoria J. Maniatis, Esq.  
Paul Pennock, Esq.  
Weitz & Luxenberg, P.C.  
180 Maiden Lane  
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(212) 558-5906  
*Attorneys for Plaintiff*

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Schoeman, Updike & Kaufman, LLP  
Attorneys for defendants GLAXOSMITHKLINE, PLC and  
SMITHKLINE BEECHAM CORPORATION  
60 East 42nd Street  
New York, New York 10165

  
WAYNE DIXON

Sworn to before me this  
8th day of December, 2003

  
NOTARY PUBLIC

JOSE M. TEJEDA  
Notary Public, State of New York  
No. 4595001  
Qualified in Bronx County  
Commission Expires March 9, 2006

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